



**MICHIGAN COUNCIL 25**  
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**Remarks of NICK CIARAMITARO, Director of Legislation and Public Policy**  
**Michigan AFSCME Council 25, AFL-CIO**  
**House Education Committee, November 29, 2018**

Thank you, Mr. Chairman and Members of the House Education Reform Committee for allowing me to submit this written testimony in opposition to House Bills 5368 and 6474. My name is Nick Ciaramitaro and I am Legislative Director for the American Federation of State, County and Municipal Employees in Michigan.

**House Bill 5368**

House Bill 5368 penalizes public employees for assisting in necessary workplace employer/employee relationships while simultaneously costing the State approximately \$1 million a year in increased unfunded actuarially accrued liabilities (UAAL). This is a result of the lost revenue paid by unions to the MPSERS reserves (current law provides for reimbursement) exceeding the costs to the system. The loss of those funds will result in additional UAAL being attributed to the balance of the school workforce and assessed against either local school districts or the School Aid Fund.

The bill creates a lose/lose situation denying employers and employees the ability to maintain an efficient and productive workplace while costing our schools additional money.

**House Bill 6474**

The purpose of this bill would prevent public employers and public employees from negotiating "paid" leave time for employer/employee purposes such as negotiating contracts, resolving grievances or other purposes designed to assist the employer in running an efficient workplace. Many employers have already voiced their concerns about the loss of the ability to resolve workplace disputes in a timely and efficient manner. The inability to resolve workplace disputes in a timely manner are likely to lead to increased problems and accelerated costs in the resolution of problems that might well have been settled quickly during work hours.

The cost to the employer for increased grievance resolution is incalculable as it will likely cost employers more money by forcing efforts to adopt contracts and enforcement of contract provisions to after work hours – requiring employer representatives (human resource professionals) to be available after hours and likely at overtime pay. This problem would be even more complex at facilities and jobs that must operate on a 24/7 basis as many public services require including jails and hospitals.

It further jeopardizes the ability to conduct joint employer/employee efforts beneficial to both parties. Many such joint employer/employee efforts have saved millions of dollars in medical costs alone.

This bill also creates a lose/lose situation by denying employers and employees the ability to maintain an efficient and productive workplace while costing public employers more to achieve that which is necessary. That does not include the additional administrative costs to account for time off for employer conferences if a way were found to do so during work hours.

Current law already prohibits the use of paid leave for political purposes and other non-contract related matters. Prohibiting public employers from negotiating mutually beneficial leaves diminishes the local control necessary to effectuate the productive environments we all desire. The private sector has long used this tool and the public sector should not be denied the same tool.

**AFSCME** urges you to reject these unnecessary and harmful bills.

Thank you for your consideration.

Nick Ciaramitaro  
Director of Legislation and Public Policy  
Michigan **AFSCME** Council 25

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